

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHERYL A. JOHANSEN	:	CIVIL ACTION
<i>Plaintiff</i>	:	
	:	NO. 16-1108
v.	:	
	:	
NANCY A. BERRYHILL, Acting	:	
Commissioner of Social Security	:	
Administration	:	
<i>Defendant</i>	:	

ORDER

AND NOW, this 6th day of October 2017, upon consideration of the *Report and Recommendation* issued on September 21, 2017, by the Honorable Elizabeth T. Hey, United States Magistrate Judge (“the Magistrate Judge”), [ECF 20], and after a careful and independent review of the record, this Court concurs with the Magistrate Judge’s conclusion that the findings of fact and conclusions of law, as determined by the Administrative Law Judge in this matter, are supported by substantial evidence.¹ Consequently, it is hereby **ORDERED** that:

1. The *Report and Recommendation* is **APPROVED** and **ADOPTED**.
2. Plaintiff’s Request for Review is **DENIED**.
3. Pursuant to 42 U.S.C. § 405(g), the decision of the Commissioner of Social Security is **AFFIRMED**, and **JUDGMENT** is entered in favor of Defendant Nancy A. Berryhill, Acting Commissioner of Social Security, and against Plaintiff Cheryl A. Johansen.
4. The Clerk of Court is directed to mark this matter **CLOSED**.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court

¹ Neither Plaintiff nor the Acting Commissioner filed any objection and/or response to the *Report and Recommendation* (the “R&R”). In the absence of any objections, this Court reviewed the R&R under the “plain error” standard. See *Facyson v. Barnhart*, 2003 WL 22436274, at *2 (E.D. Pa. May 30, 2003). Under this plain error standard of review, an R&R should only be rejected if the magistrate judge commits an error that was “(1) clear or obvious, (2) affect[ed] ‘substantial rights,’ and (3) seriously affected the fairness, integrity or public reputation of judicial proceedings.” *Leyva v. Williams*, 504 F.3d 357, 363 (3d Cir. 2007) (internal quotations and citations omitted). Here, after a thorough review of the record and the R&R, this Court finds no error and, therefore, adopts the R&R in its entirety.